

# Exhibit 8

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ULKU ROWE,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

**Case No. 1:21-cv-08655 (JHR)**

**DECLARATION OF RACHEL GEMAN IN SUPPORT OF PLAINTIFF’S MOTION  
FOR REASONABLE ATTORNEYS’ FEES AND COSTS**

I, Rachel Geman, hereby declare as follows:

1. I am over eighteen years of age and am competent to make this declaration.

2. I am an attorney duly licensed to practice law in the State of New York and the Southern District of New York. I make this Declaration in support of Plaintiff’s Motion for Attorneys’ Fees and Costs based upon personal knowledge. If called and sworn as a witness, I would testify competently as to the facts in this Declaration.

**GENERAL BACKGROUND AND EXPERIENCE**

3. I am a partner in the New York office of Lieff, Cabraser, Heimann & Bernstein, LLP (“LCHB”), an international law firm of approximately 125 attorneys with offices in San Francisco, New York, Nashville, and Munich. LCHB’s practice focuses on complex and class action litigation involving civil rights, employment, sexual abuse and gender violence, whistleblower, consumer, digital privacy, financial and securities fraud, antitrust, mass tort, and product liability matters.

4. I graduated from Harvard University *cum laude* in 1993 and from Columbia Law School with honors in 1997. I am a member of the New York State bar, and am admitted to the

U.S. District Courts for the Southern and Eastern Districts of New York, the U.S. Court of Appeals for the Second Circuit, and the United States Supreme Court, as well as the District of Colorado, the Eastern District of Michigan, the Northern District of Ohio, and the Eastern District of Wisconsin.

5. I am a partner in LCHB's Employment Practice Group and the head of LCHB's Whistleblower/False Claims Act Practice Group. I have over 20 years of experience representing employees and other plaintiffs in complex plaintiff-side litigation. I am an AV-Preeminent rated attorney. I am the Co-Chair of the Workplace and Occupational Health & Safety Committee of the ABA's Labor and Employment Section and a past Co-Chair of the Equal Employment Opportunity Committee. I am a former Board Member of the New York Chapter of the National Employment Lawyers' Association, and chaired its Amicus Committee from approximately 2019 to 2022. I was selected for inclusion by my peers in The Best Lawyers in America in field of "Employment Law – Individuals" for 2012-2023. I have been one of the Lawdragon's Leading 500 Plaintiffs' lawyers since 2018, in the categories of consumer (2022-2023), financial (2021-2023), and employment/civil rights (2018-2022). I was awarded the Distinguished Honor Award by the United States Department of State in 2001. In addition to my commitment to bar service, I am also a pro bono mediator.

6. LCHB's Employment Practice Group has received multiple national accolades for its work prosecuting discrimination and other civil rights litigation. For example, in 2022, Chambers Research ranked LCHB's Employment Practice Group as a "Band 1" (top tier) of plaintiff-side employment departments in California. In 2015, the Recorder named LCHB's Employment Practice Group as a Litigation Department of the Year in the category of California Labor and Employment Law. Benchmark Plaintiff, a guide to the nation's leading plaintiffs'

firms, has given LCHB's Employment Practice Group a Tier 1 national ranking, its highest rating. The Legal 500 guide to the U.S. legal profession has also recognized LCHB as having one of the leading plaintiffs' employment practices in the nation.

7. LCHB has served as counsel, in many instances with Outten & Golden LLP ("O&G") as co-counsel, in numerous plaintiffs' cases challenging discriminatory employment classes (cases where O&G and LCHB co-counseled are indicated with an asterisk). Employment cases within the Second Circuit in which I have represented plaintiffs and the class include *Chen-Oster v. Goldman Sachs*, 10 Civ. 6950 (S.D.N.Y.)\* and *Calibuso v. Bank of America*, No. 10-1413-PKC (E.D.N.Y.)\*. Other LCHB employment discrimination cases include *Ellis v. Google, LLC*, No. CGC-17-561299 (San Francisco Super. Ct.); *Stewart v. Kaiser Foundation Health Plan, Inc.*, No. CGC-21-590966 (San Francisco Super. Ct.); *Gonzalez v. Abercrombie & Fitch*, No. 03-2817 SI, 04-4730 SI (N.D. Cal.); *Ellis v. Costco Wholesale Corp.*, No. 04-3341-EMC (N.D. Cal.); and *Wynne v. McCormick & Schmick's*, No. 04:06-03153 CW (N.D. Cal.); *Amochaev v. Smith Barney*, 05-1298-PJH (N.D. Cal.)\*; *Jaffe v. Morgan Stanley*, No. 06-3903 TEH (N.D. Cal.)\*; and *Augst-Johnson v. Morgan Stanley*, No. 1-06-1142-RWR (D.D.C.)\*. LCHB has also handled other civil rights work, including in housing discrimination matters (such as *City of Philadelphia v. Wells Fargo*, No. 2:17-2203-AB (E.D. Pa.), where I was counsel) and ECOA matters.

#### **KNOWLEDGE OF MARKET RATES IN THIS DISTRICT**

8. Based on my experience in legal practice, I am familiar with hourly rates charged by attorneys handling complex cases such as this one in New York City. I routinely read published data on the rates charged by a variety of law firms.

9. My firm reviews and adjusts our standard hourly rates on an annual basis. My

hourly rate in 2023 is \$1080.

10. Based on my familiarity with rates generally charged in New York City, I believe that my hourly rate is comparable to the currently prevailing rates charged by New York attorneys of similar skill, qualifications, experience, and reputation in matters involving a degree of similar complexity.

11. In 2023 the firm's hourly rate for an associate in New York City office who graduated from law school in 2022 is \$470 and for an associate who graduated in 2017 it is \$615. Exemplar rates submitted to the S.D.N.Y. in the *Chen-Oster* case referenced above, and where attorney's fees were approved in full based on work performed from 2010-2023, include: \$705 for a 2013 law school graduate (partner), \$650 for a 2015 law school graduate (partner), \$280-\$535 (paralegals; the lower rates being for individuals who worked on the matter early in its tenure and are no longer employed by the firm or employed as paralegals)). In my experience, my firm's hourly rates have been and are within market rates for experienced, highly regarded attorneys and staff in the civil rights, employment law, and class action fields in New York City.

12. The experience described above has also given me a familiarity with the hourly rates charged by LCHB and other New York law firms for the services performed by paralegals and law clerks on matters having a degree of complexity comparable to this case.

13. LCHB's rates have been upheld as reasonable by numerous courts. Cases involving my own recent rates include: *In re General Motors LLC Ignition Switch Litig.*, No. 14-md-2543, 2020 WL 7481292, at \*3 n.3 (S.D.N.Y. Dec. 18, 2020) ("The Court also finds that the hourly rates reported," which included LCHB's – and my - rates, "reflect prevailing rates in the Southern District of New York for 'for similar services by lawyers of reasonably comparable skill, expertise and reputation.'"); *Cottle v. Plaid Inc.*, No. 4:20-cv-03056-DMR, ECF No. 184 at

\*18-19 (N.D. Cal., July 20, 2022) (approving LCHB's/my 2022 billing rates); *United States v. Allergan*, No. 18-203-JVS, (C.D. Cal. July 24, 2023) (in context of qui tam fee application, court approved LCHB's/my 2022 rates, and noted that Allergan did not dispute LCHB's 2023 rates).

14. Other recent exemplar LCHB cases where rates were approved, starting with cases in New York federal courts, include: *Jenkins, et al. v. National Grid USA Service Company, Inc., et al.*, No. 2:15-cv-01219-JS-ARL, ECF No. 760 at \*9-10 (E.D.N.Y. June 24, 2022) (granting fees supported by LCHB's 2022 billing rates); *In re: Restasis Antitrust Litig.*, No. 18-md-02819-NG-LB, ECF No. 741 at \*15-16 (E.D.N.Y. Aug. 2, 2022) (granting fees supported by LCHB's 2022 billing rates); and *Patti's Pitas, LLC et al. v. Wells Fargo Merchant Services, LLC*, No. 17-cv-04583-AKT, ECF No. 70 at \*8-10 (E.D.N.Y. July 22, 2021) (granting fees supported by LCHB's 2021 billing rates); *Ellis v. Google, LLC*, No. CGC-17-561299 (San Francisco Super. Ct. Oct. 25, 2022) (granting fees supported by LCHB's 2022 billing rates,); *In re Intuit Data Litig.*, No. 15-CV-1778-EJD-SVK, 2019 WL 2166236, at \*1 (N.D. Cal. May 15, 2019) (granting fees supported by LCHB's 2019 billing rates).

#### **OUTTEN & GOLDEN'S BILLING RATES ARE REASONABLE**

15. Plaintiff is represented in this case by Outten & Golden ("O&G"), which is seeking hourly rates of (i) \$800-\$950 for the two partners on the case, Cara Greene and Gregory Chiarello, 2005 and 2006 law school graduates, respectively, (ii) \$375-\$475 for associates, and (iii) \$285-\$350 for paralegals and litigation support staff.

16. I am personally familiar with O&G's work through our co-counsel relationship, and I have worked closely with Ms. Greene on employment discrimination litigations, as well as wage and hour cases. I have known Ms. Greene for approximately 15 years. In my opinion, Ms.

Greene is a strategic, seasoned, and efficient lawyer with great judgment who is committed to her clients and to the law, and whose terrific reputation is well-deserved.

17. Based on my familiarity with O&G and the rates our firm and other firms charge in the New York metropolitan area, it is my opinion that the rates sought in this matter by O&G's attorneys and paralegals are entirely reasonable and appropriate in this marketplace and are well within (and in some instances below) the market rates for this type of matter.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge, information, and belief.

Executed on this 22nd day of November.

/s/ Rachel Geman

Rachel Geman